

FINAL
CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
09:30 a.m. April 24, 2007

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
- Approve the minutes of the April 17, 2007 regular meeting

CONSENT AGENDA

1. Report of the Board of Bids and Contracts Dated April 23, 2007

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

1a. Applications for Licenses:

<u>Special Event</u>		<u>Kansas Master's BBQ Championship</u>
	June 8, 9, 2007	
Joseph Patrick	Old Cowtown Museum	1871 Sims Park Drive

RECOMMENDED ACTION: Approve the licenses.

2. Applications for Licenses to Retail Cereal Malt Beverages:

<u>New Operator</u>	<u>2007</u>	<u>(Consumption off Premises)</u>
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Hisham Mubaidin	Wichita Petroleum Inc.	7101 East Lincoln
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<u>Renewal</u>	<u>2007</u>	<u>(Consumption on Premises)</u>
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Jose L. Mejia	El Jalisco Restaurant	627 East 47th Street South
Miguel Reyes	Rostizeria Los Reyes	512 W 21st Street

<u>Renewal</u>	<u>2007</u>	<u>(Consumption off Premises)</u>
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Craig Bergstrom	Kum and Go #326	277 South Ridge Road
Craig Bergstrom	Kum and Go #323	3405 South West Street
Craig Bergstrom	Kum and Go #328	6330 East 21st Street North

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

3. Preliminary Estimates:

- a. Storm Water Drain #315 to serve Meadowlake Beach Addition north of 63rd Street South, east of Hydraulic (468-84302/751444/485335) Does not affect existing traffic. (District III) - \$828,000.00
- b. Water Distribution System to serve Brentwood South Addition north of Pawnee, east of Webb (448-90252/735342/470015) Does not affect existing traffic. (District II) - \$66,000.00

RECOMMENDED ACTION: Receive and file.

4. Petitions for Public Improvements:

- a. Construct a Sanitary Sewer Lateral for Ridge Port Commercial Park Addition, north of 29th Street North, west of Ridge. (District V)
- b. Construct Traffic Signals on Greenwich, 1,030' south of 13th Street. (District II)
- c. Sanitary Sewer in Stonebridge Addition, north of 13th Street, west of 159th Street East. (District II)
- d. Sanitary Sewer and Water Distribution System in K-96 Business Park Addition, north of 29th Street North, west of Greenwich. (District II)
- e. Construct a Sanitary Sewer Main to serve an area on both sides of Pawnee, east of 127 Street East. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt resolutions.

5. Consideration of Street Closures/Uses.

- a. Wichita Cyclefest Criterium Race, May 6, 2007, 8:00 a.m. to 7:00 p.m. (District I)
 - Great Plains Ventures Business Park, Inc. 5200 East 35th Street North.
- b. Block Party on Broadway, May 20, 2007, 1:00 p.m. to 8:00 p.m. (District VI)
 - 300 block of North Broadway, Third Street to Second Street
- c. 2007 Special Olympics Summer Games Fireworks Finale, June 1, 2007, 8:00 p.m. to 10:00 p.m. (District I)
 - 21st Street North, Hillside to Yale Street, not including intersections.
- d. Celebrate 2007, July 4, 2007, Lawrence Dumont Stadium, 9:00 a.m. to 11:00 p.m.
 - McLean Boulevard, Douglas Avenue to Maple Street not including intersections.
- e. Freedom '07 West Bank Stage, July 4, 2007, 9:00 a.m. to 11:00 p.m.
 - McLean Boulevard, Douglas Avenue to First Street not including intersections.

RECOMMENDED ACTION: Approve the request subject to: (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; and (3) Certificate of Liability Insurance on file with the Community Events Coordinator.

6. Agreements/Contracts:

- a. Street Resurfacing Project on Southwest Boulevard from Hoover to I-235. (District IV)
- b. Douglas Street Drainage Outfall. (Districts I & VI)
- c. Pawnee, Washington to Hydraulic. (District III)-supplemental.
- d. Construction Engineering and Staking in Northcrest Estates Addition, east of Meridian, south of 53rd Street North. (District VI)-supplemental.
- e. 29th Street North from 119th Street to Maize Road. (District V)-supplemental.
- f. Construction Engineering and Staking in Terradyne West Addition, north of Central, west of 159th Street East. (District II)-supplemental.
- g. 119th street West, Kellogg to Maple. (District V)-supplemental.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize the necessary signatures.

7. Design Services Agreement:

- a. Meadowlake Beach Addition, west of Clifton, north of 63rd Street South. (District III)
- b. Rivendale Addition, north of 55th Street South, west of Hydraulic. (District III)
- c. Stonebridge Addition, north of 13th Street, west of 159th Street East. (District II)
- d. Willow Creek East Addition, east of Greenwich, south of Harry. (District IV)
- e. Legacy Third Addition, north of 47th Street South, west of Meridian. (District IV)
- f. Traffic Signalization at the Intersection of Hoover and MacArthur and the Interchange of North I-235 and Meridian. (Districts IV and VI)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize the necessary signatures.

8. Property Acquisitions:

- a. Partial Acquisition of 221 East 13th Street North, for the North Broadway and 13th Street Intersection Improvement Project. (District VI)
- b. Partial Acquisition of 221 North West Street for the Improvement of West Street from Maple to Central. (Districts IV and VI)
- c. Partial Acquisition of 225 North West Street for the Improvement of West Street from Maple to Central. (Districts IV and VI)
- d. Partial Acquisition of 232 South West Street for the Improvement of West Street from Maple to Central. (Districts IV and VI)
- e. Partial Acquisition of 401/405 North West Street for the Improvement of West Street from Maple to Central. (Districts IV and VI)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

9. Repair or Removal of Dangerous & Unsafe Structures. (District VI)

Property Address:

a. 1149 North Market

Council District:

VI

RECOMMENDED ACTION: Adopt the resolution to schedule a hearing and place this matter on the agenda for a Hearing before the Governing Body on June 5, 2007, at 9:30 a.m. or soon thereafter.

10. Water Distribution System for Turkey Creek Second Addition, north of Pawnee, west of 119th Street West. (District IV)

RECOMMENDED ACTION: Adopt the resolution and authorize the necessary signatures.

11. State Office Building Fund Budget Adjustment. (District VI)

RECOMMENDED ACTION: Approve the budget transfer.

12. Community Services Block Grant Training and Technical Assistance Program

RECOMMENDED ACTION: Approve the application for submittal and authorize the necessary signatures.

13. University Street Paving, between Maple Lane and Arapaho. (District V)

RECOMMENDED ACTION: Adopt the resolution and authorize the necessary signatures.

14. Dedication of Property near 55th Street South and Clifton for public purposes. (District III)

RECOMMENDED ACTION: Accept the donation and authorize the necessary signatures.

15. Order of Succession Resolution.

RECOMMENDED ACTION: Adopt the Resolutions and authorize the necessary signatures.

16. Second Reading Ordinances: (April 17, 2007)

a. Acquisition by Eminent Domain of Land required for the MacArthur, Meridian to Seneca Improvement Project (District IV)

An Ordinance providing for the acquisition by eminent domain of certain private property and right-of-way therein, for the purpose of acquiring real property for the construction and improvement of the planned MacArthur road improvement project between Seneca and meridian in the City of Wichita, Sedgwick County, Kansas; designating the land required for such purposes and directing the city attorney to file a petition in the district court of Sedgwick County, Kansas, for acquisition of the land therein taken and providing for payment of the cost thereof.

b. 29th Street North Improvement Between 119th Street West and Maize. (District V)

An Ordinance amending ordinance no. 46-557 of the City of Wichita, Kansas declaring 29th Street North, between 119th Street West and Maize (472-84185) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

c. Neighborhood Revitalization Areas and Local Investment Areas. (Districts I, III, IV, and VI)

An Ordinance of the City of Wichita, Kansas to adopt a neighborhood revitalization plan and designate the areas within the City of Wichita, Kansas, to be included within such plan, and to authorize and approve a certain interlocal agreement by and among the City of Wichita, Kansas, the Board of County Commissioners of Sedgwick County, Kansas and Unified School District No.259, Sedgwick County, Kansas, pertaining to administration of the neighborhood revitalization plan and the issuance of tax rebates thereunder.

(Item 16 continued)

- d. PUD2006-03-Create PUD#23 Firepoint Planned Unit Development. Generally located north of K-96 and west of Webb Road along Toben Street North. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by section 28.04.010, as amended. (PUD2006-03)

- e. ZON2004-61-Plat of Walsh Addition located east of West Street and north of Maple. (District VI)

An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by section 28.04.010, as amended. (ZON2004-61)

- f. ZON2004-29-Plat of Hunter's Health Clinic Second Addition, located on the north side of Central and east of Hydraulic. (District I)

An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by section 28.04.010, as amended. (ZON2004-29)

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

17. *ZON2005-00050-Zone Change from "SF-5" Single-family Residential, "TF-3" Two-family Residential and "GO" General Office to "LC" Limited Commercial, with a Protective Overlay. Located at the northeast corner of 32nd Street South and Exposition. (District IV)

RECOMMENDED ACTION: Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of the Protective Overlay and place the ordinance establishing the zone change of first reading.

18. *ZON2006-00015-Zone Change form "TF-3" Two-family Residential and "GO" General Office to "LC" Limited Commercial with a Protective Overlay. Generally located northeast of the Seneca and Dora intersection. (District IV)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of the Protective Overlay; place the ordinance establishing the zone change on first reading; OR 2) Return the application to the MAPC for reconsideration.

19. *ZON2006-00056-Zone Change from "TF-3" Two-family Residential to "LC" Limited Commercial with a Protective Overlay located southeast of the Seneca Street and Esthner Avenue intersection. (District IV)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of the Protective Overlay; place the ordinance establishing the zone change on first reading; OR 2) Return the application to the MAPC for reconsideration.

UNFINISHED BUSINESS

20. Outdoor Advertising Lease, 8006 East Kellogg. (District II)
(Deferred April 17, 2007)

RECOMMENDED ACTION: Approve the lease and authorize the necessary signatures.

21. Sunday Liquor Sales.
(Deferred April 17, 2007)

RECOMMENDED ACTION: Declare an emergency and adopt the Sunday Sales Ordinance on first reading and approve first reading of the ordinance amending the current City Code.

Adjournment